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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,042	01/22/2002	Steven R. Kunkel	ROC920010209US1	1375
7590	07/19/2004		EXAMINER	NAMAZI, MEHDI
Gero G. McClellan Moser, Patterson & Sheridan, L.L.P. Suite 1500 3040 Post Oak Boulevard Houston, TX 77056-6582			ART UNIT	PAPER NUMBER
			2188	
			DATE MAILED: 07/19/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/054,042	KUNKEL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mehdi Namazi	2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 April 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6, 12-17, 19-24 and 29-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6, 12-17, 19-24 and 29-38 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                         |                                                                             |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.                                               |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|                                                                                                                         | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

This office action is in response to amendment filed April 19, 2004.

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-6, 12-17, and 19-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6, 12-14, 19-24, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by IBM.

As per claims 1, 12, and 19, IBM teaches a method of managing cache in a shared memory multiple processor computer system:

Executing, by a processor, a cache purge instruction that configures the processor to purge a cache line from the processor and send the cache line to at least one of a plurality of processors in the shared memory multiple processor computer system to update the at least one of a plurality of processors (pages 1-2).

As per claims 2, 13, and 20, IBM teaches the step of executing, by a processor, a cache purge instruction is performed after modifying the cache line by the processor (page 1).

As per claims 3, 14, and 21, IBM teaches wherein the cache line has a unique address (it is inherent in any cache system to have an address for each line).

As per claims 4, and 22, IBM teaches wherein the cache purge instruction updates all processors in the computer system (pages 1-2).

As per claims 5, and 23, IBM teaches wherein the cache purge instruction updates only an oldest cache line (page 2).

As per claims 6, and 24, IBM teaches wherein the cache purge instruction updates at least one level of cache (page 2).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 29, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by IBM.

As per claims 29, and 35, IBM teaches a method of managing cache in a shared memory multiple processor computer system, comprising:

Executing, by a processor, a cache purge instruction that configures the processor to purge a cache line from the processor and send the cache line to at least one of a plurality of processors in the shared memory multiple processors (pages 1-2), wherein the cache purge instruction updates all caches in the computer system and marks a state of all updated cache line as shared (Page 2).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over IBM, and further in view of AAPA.

As per claim 30, IBM teaches a method of managing cache in a shared memory multiple processor computer system, comprising:

Executing, by a processor, a cache purge instruction that configures the processor to purge a cache line from the processor and send the cache line to at least one of a plurality of processors in the shared memory multiple processors, wherein the cache purge instruction updates all caches in the computer system (page 2)

As per claim 30 IBM teaches the claimed invention, but fails to teach marking a state of all updated cache line as temporarily invalid. However, AAPA teaches when an entry in the cache is changed or modified, the directory temporary invalidates the

respective directory entry corresponding to the cache line (page 8, paragraph 30, lines 6-8).

Therefore, it would have been obvious to one having ordinary skill in the art to modify the work of IBM because AAPA teaches temporarily invalidating a cache line in order to be over written if it is the oldest cache line.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 15-16, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM, and further in view of Yates.

As per claims 15-16, and 34, IBM teaches a computer system, comprising a shared memory and at least two processors wherein each processor is associated with at least one level of cache and wherein each processor, when executing a cache purge instruction and send the cache line to at least one other processor in the computer system to up date the at least one other processor (page 2).

As per claims 15-16, and 34 IBM teaches the claimed invention, but fails to teach the cache purge instruction is referenced to at least five field and one of the at least five field indicates how the state of the updated cache(s) will be marked.

Yates teaches modification to multiprocessor, wherein there are five different modifications during updating data in caches of both processors (col. 30, lines 58-67).

Therefore, it would have been obvious to one having ordinary skill in the art to modify the work of IBM because Yates teaches five different modifications during updating cache in order to show the status of cache for accessing.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 31-33, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM, and further in view of Liu (US 5,210,848).

As per claims 31, and 36, IBM teaches a method of managing cache in a shared memory multiple processor computer system:

Executing, by a processor, a cache purge instruction that configures the processor to purge a cache line from the processor and send the cache line to at least one of a plurality of processors in the shared memory multiple processor computer system to update the at least one of a plurality of processors (page 2).

As per claims 31-33, and 36-38 IBM teaches the claimed invention, but fails to teach wherein the cache purge instruction updates only one cache at a designated processor of the plurality of processors then marks a state of the cache line updated as

exclusive at the designated processor and marks a state of the cache line as temporarily invalid at the processor executing the instruction.

Liu teaches a multiprocessor system wherein updated cache lines are transferred to another processor, where the first processor mark that specific cache line as temporarily invalid and second processor marks it as exclusive so after data used by second processor it will be return to the first processor (claim 2).

Therefore, it would have been obvious to one having ordinary skill in the art to modify the work of IBM because Liu teaches two different mark status for a cache line while been used by two different processors at the same time in order to prevent modification without first processor permission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehdi Namazi whose telephone number is 703-306-2758. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 703-306-2903. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mehdi Namazi

  
Examiner

Art Unit 2188

July 11, 2004